

By: Metcalf

H.B. No. 454

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of a specialty treatment court for certain
3 individuals residing with a child who is the subject of a juvenile
4 court case.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle K, Title 2, Government Code, is amended
7 by adding Chapter 130 to read as follows:

8 CHAPTER 130. JUVENILE FAMILY DRUG COURT PROGRAM

9 Sec. 130.001. JUVENILE FAMILY DRUG COURT PROGRAM

10 DEFINED. In this chapter, "juvenile family drug court program"
11 means a program that has the following essential characteristics:

12 (1) the integration of substance abuse treatment
13 services in the processing of cases and proceedings under Title 3,
14 Family Code;

15 (2) the use of a comprehensive case management
16 approach involving court-appointed case managers and
17 court-appointed special advocates to rehabilitate an individual
18 who is suspected of substance abuse and who resides with a child who
19 is the subject of a case filed under Title 3, Family Code;

20 (3) early identification and prompt placement of
21 eligible individuals who volunteer to participate in the program;

22 (4) comprehensive substance abuse needs assessment
23 and referrals to appropriate substance abuse treatment agencies for
24 participants;

1 (5) a progressive treatment approach with specific
2 requirements for participants to meet for successful completion of
3 the program;

4 (6) monitoring of abstinence through periodic
5 screening for alcohol or screening for controlled substances;

6 (7) ongoing judicial interaction with program
7 participants;

8 (8) monitoring and evaluation of program goals and
9 effectiveness;

10 (9) continuing interdisciplinary education for the
11 promotion of effective program planning, implementation, and
12 operation; and

13 (10) development of partnerships with public agencies
14 and community organizations.

15 Sec. 130.002. AUTHORITY TO ESTABLISH PROGRAM. The
16 commissioners court of a county may establish a juvenile family
17 drug court program for individuals who:

18 (1) are suspected by the Department of Family and
19 Protective Services or the court of having a substance abuse
20 problem; and

21 (2) reside in the home of a child who is the subject of
22 a case filed under Title 3, Family Code.

23 Sec. 130.003. PARTICIPANT PAYMENT FOR TREATMENT AND
24 SERVICES. A juvenile family drug court program may require a
25 participant to pay the cost of all treatment and services received
26 while participating in the program, based on the participant's
27 ability to pay.

1 Sec. 130.004. FUNDING. A county that creates a juvenile
2 family drug court under this chapter shall explore the possibility
3 of using court improvement project money to finance the juvenile
4 family drug court in the county. The county also shall explore the
5 availability of federal and state matching money to finance the
6 court.

7 SECTION 2. This Act takes effect September 1, 2021.